

UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

v.

MARIA VALENZUELA

Date of Original Judgment: 2/26/2025
(Or Date of Last Amended Judgment)

AMENDED JUDGMENT IN A CRIMINAL CASE

Case Number: 3:23-cr-00032-MMD-CLB

USM Number: 85613-510

Jennifer Mayhew, CJA

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) Count 1 of the Indictment (ECF No. 1) filed on October 26, 2023
- ☐ pleaded nolo contendere to count(s) which was accepted by the court.
- ☐ was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:


Title & Section	Nature of Offense	Offense Ended	Count
21 USC 846, 841(a)(1), 841(b)(1)(A)(viii)	Conspiracy to Distribute and Possess with Intent to Distribute a Controlled Substance; Forfeiture	10/8/2023	1

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s)
- ☒ Count(s) 6, 7, and 8 ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

2/25/2025
Date of Imposition of Judgment


Signature of Judge

Miranda M. Du U.S. District Judge
Name and Title of Judge

3/18/2025
Date

DEFENDANT: MARIA VALENZUELA*
CASE NUMBER: 3:23-cr-00032-MMD-CLB

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

33 MONTHS

☒ The court makes the following recommendations to the Bureau of Prisons:

Recommendation for placement of Defendant: Phoenix, Arizona.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____ .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____ , with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: MARIA VALENZUELA*
CASE NUMBER: 3:23-cr-00032-MMD-CLB

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of: **5 YEARS**

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.
 - ☒ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: MARIA VALENZUELA*
CASE NUMBER: 3:23-cr-00032-MMD-CLB**STANDARD CONDITIONS OF SUPERVISION**

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the specific risks posed by your criminal record and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the specific risks posed by your criminal record.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: MARIA VALENZUELA*

CASE NUMBER: 3:23-cr-00032-MMD-CLB

SPECIAL CONDITIONS OF SUPERVISION

1. Search and Seizure - You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

2. Deportation Compliance - If you are ordered deported from the United States, you must remain outside the United States, unless legally authorized to re-enter. If you re-enter the United States, you must report to the nearest probation office within 72 hours after you return.

3. Access to Financial Information - You must provide the probation officer access to any requested financial information and authorize the release of any financial information. The probation office will share financial information with the U.S. Attorney's Office.

4. No Contact - You must not communicate, or otherwise interact, with any codefendant, excluding Xochitl Sanchez-Pacheco, either directly or through someone else, without first obtaining the permission of the probation office.

DEFENDANT: MARIA VALENZUELA*

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 100.00	\$ N/A	\$ N/A	\$ N/A	\$ N/A
	To be paid immediately				

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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Clerk, U.S. District Court
 Attn: Financial Officer
 Case No. 3:23-cr-00032
 333 Las Vegas Boulevard, South
 Las Vegas, NV 89101

TOTALS	\$	<u>0.00</u>	\$	<u>0.00</u>
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: MARIA VALENZUELA*
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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
- ☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
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- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☒ The defendant shall forfeit the defendant's interest in the following property to the United States:

See attached Final Order of Forfeiture (ECF No. 144)

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIA VALENZUELA,

Defendant.

3:23-CR-032-MMD-CLB

Final Order of Forfeiture

13 The United States District Court for the District of Nevada entered a Preliminary
14 Order of Forfeiture under Fed. R. Crim. P. 32.2(b)(1) and (b)(2); 18 U.S.C. § 981(a)(1)(C)
15 with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1), 853(a)(2), and 853(p); and 21 U.S.C. §
16 881(a)(6) with 28 U.S.C. § 2461(c) based upon the plea of guilty by Maria Valenzuela to the
17 criminal offense, forfeiting the property set forth in the Government's Memorandum in
18 Support of Plea, the Order Granting Stipulation to Forfeit Property as to Maria Valenzuela
19 (Stipulation), and Forfeiture Allegation Two of the Criminal Indictment and shown by the
20 United States to have the requisite nexus to the offense to which Maria Valenzuela pled
21 guilty. Criminal Indictment, ECF No. 1; Government's Memorandum in Support of Plea,
22 ECF No. 72; Change of Plea, ECF No. 77; Stipulation, ECF No. 78; Preliminary Order of
23 Forfeiture, ECF No. 79.

24 This Court finds that on the government's motion, the Court may at any time enter
25 an order of forfeiture or amend an existing order of forfeiture to include subsequently
26 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

27 This Court finds the United States published the notice of forfeiture in accordance
28 with the law via the official government internet forfeiture site, www.forfeiture.gov,

1 consecutively from September 22, 2024, through October 21, 2024, notifying all potential
2 third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF
3 No. ECF No. 100-1, p. 5.

4 This Court finds the United States notified known third parties by regular mail and
5 certified mail return receipt requested of their right to petition the Court. Notice of Filing
6 Service of Process – Mailing, ECF No. 107

7 On September 26, 2024, the United States Attorney's Office served Bobby Jo Kissel
8 at zip code 89433 with copies of the Preliminary Order of Forfeiture and the Notice by
9 regular and certified return receipt mail. Notice of Filing Service of Process – Mailing, ECF
10 No. 107-1, p. 3, 5-10, 12-13.

11 On September 26, 2024, the United States Attorney's Office served and attempted to
12 serve Bobby Jo Kissel at zip code 89502 with copies of the Preliminary Order of Forfeiture
13 and the Notice by regular and certified return receipt mail. The regular mail was not
14 returned. The certified mail was returned as no mail receptacle and unable to forward.
15 Notice of Filing Service of Process – Mailing, ECF No. 107-1, p. 3, 5-10, 14-16.

16 On September 26, 2024, the United States Attorney's Office served Janice Anne
17 Hubbard, Law Office of Janice Hubbard, LLC, attorney for Bobby Jo Kissel, at zip code
18 89503 with copies of the Preliminary Order of Forfeiture and the Notice by regular and
19 certified return receipt mail. Notice of Filing Service of Process – Mailing, ECF No. 107-1,
20 p. 3, 5-10, 17-18.

21 This Court finds no petition was filed herein by or on behalf of any person or entity
22 and the time for filing such petitions and claims has expired.

23 This Court finds no petitions are pending regarding the property named herein and
24 the time has expired for presenting such petitions.

25 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
26 all possessory rights, ownership rights, and all rights, titles, and interests in the property
27 hereinafter described are condemned, forfeited, and vested in the United States under Fed.
28 R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. §

981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1), 853(a)(2), and 853(p); 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law and the Stipulation:


1. \$18,400 in United States Currency
(all of which constitutes property).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that under Fed. R. Crim. P. 32.2(c) and 21 U.S.C. § 853(n)(7), all possessory rights, ownership rights, and all rights, titles, and interests in the property are extinguished and are not recognized for Maria Valenzuela, Bobby Jo Kissel, and all third parties.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the government's management of any property forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law and the Stipulation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record.

DATED this 25th day of February 2025.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE